

1: CV 00-1807 (1)

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA10/16/00
TACD-1857
(Inmate Number)Matthew Dix (SCI-Dallas)
(Name of Plaintiff)1000 Follies Road
Dallas, PA-18612-0286
(Address of Plaintiff)

Matthew Dix

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PER

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COMPLAINT

FOR VIOLATION CONSTITUTIONAL
Rights indicated below Title
28 U.S.C. § 1343(A)(3), FOR
DECLARATORY AND INJUNCTION
Relief; Title 28 U.S.C. § 2201
AND 2202; Rule 65 F.R.C.P.;
COMPENSATORY AND PUNITIVE
DAMAGES.

MARTIN F. HORN, SECRETARY (D.O.C.);
WILLIAM A. HARRISON; J. HARVEY
BELL; ROBERT S. EITNER (D.O.C.);
BEN VARNER, SUPERINTENDENT;
BARNETT T. STACHELECK (SCI-Dallas);
(Names of Defendants) (Cont. on attached
Rider Following).

TO BE FILED UNDER: ☒ 42 U.S.C. § 1983 - STATE OFFICIALS AND Sec. 1985(2), (3), (4)
☒ 28 U.S.C. § 1331 - FEDERAL OFFICIALS (PARAGRAPH) 21 § 22

I. Previous Lawsuits

- A. If you have filed any other lawsuits in federal court while a prisoner please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

Matthew Dix v. Gregory R. White, et al.
D.C. Civ. No. 95-cv-01472, filed August 25, 95.
Appeal September 13, 1996, United States Court of
Appeals for the Third Circuit under Dkt. No. 96-3561.
then Dismissed February 14, 1997.

II. Exhaustion of Administrative Remedies

- A. Is there a grievance procedure available at your institution?
☒ Yes ☐ No
- B. Have you filed a grievance concerning the facts relating to this complaint?
☒ Yes ☐ No

If your answer is no, explain why not _____

(Named Defendants of Caption Continues):

FRANK D. GRILLIS, SUPERINTENDENT; KIMBIE K. DASCENI;
BERNON L. LAWE; ROY E. JOHNSON AND HASKIE (SCI-
CARLTOWNSHIP); JOSEPH CHERRY, SUPERINTENDENT; ROBERT
SHANNON AND E.K. SMITH, (SCI-FRANKVILLE);

ARE VERSE INDIVIDUALLY AND IN THEIR OFFICIAL
CAPACITIES.

Defendants,

"As Prescribed by Rule 13(b), F.R. Civ. P., Parties option
Consent exercise by a magistrate Judge of civil
Jurisdiction over case. It is hereby advise that
Plaintiff elect not consent a magistrate, and that case
be Resided over by district Judge."

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item B for the names, positions and places of employment of any additional defendants.)

A. Defendant MARTAIN F. HORN is employed
AS SECRETARY → PENNSYLVANIA DEPARTMENT of
CORRECTIONS (D.O.C.), AT P.O. Box
598 CAMP Hill, Pa. 17001-0598.

B. Additional defendants William H. Harrison (Head Supervisor - Transfer Department); J. J. Harvey Bell (Bureau of Inmate Services), of the (D.O.C.) at P.O. Box 598, Camp Hill, Pa. 17001-0598; And J. Robert S. Bitner, employed as Chief Hearing Examiner (C.H.E.) of the (D.O.C.) at 1451 N. Market Street, Elizabethtown, Pa. 17006.

(Continue on Attached Rider, PP. #
2A AND 2A-1)

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary).

Subject: A CHRONOLOGY OF EVENTS FROM WHICH RETALIATION AND
 ■ CONSPIRACY EXTEND CARRIED OVER FROM PRISON TO PRISON IN
 VIOLATION PLAINT: FF's 1st, 8th, AND 14th AMEND., U.S.C., THE
 PENNSYLVANIA CONST., ARTICLE 1 SECTIONS 9, 11, 13 AND 26; 37 PA. CODE
 §§ 93.9, 93.11, 94.6 AND 9711(c).

1. IN GENERAL PLAINTIFF claims that the named defendants individually and jointly, acted under color of state law to deny him of Constitutional Protected Rights GUARANTEED by the United States Constitution in that
2. ■ Subsequent transfer from the (SCI) State Correctional Institute Coal Township (SCI-CTS) to (SCIC) Dallas July 13, 2000. AFTER A brief orientation upon arrival by staff (SCIC). PLAINTIFF was placed in Administrative Custody (AC) status (RHU) Restricted Housing Unit (KR, cell # 41) where he resides this present day used as a protective for punitive and long term confinement for continuous wrongful actions carried over SCI transferred in REPRISAL infractions from by misconduct therefrom which AC time was fully expire; also for refusal to forsake Z-code status which result the current deep going same exact erroneous practice conducted (SCI-CTS) constantly circulation noise his assigned cell -- (somehow) -- experience for the last past three and a half 3 1/2 years until present in retaliation PLAINTIFF's persistency in times past decline double celling SCI - Frackville (SCIF) which began TNR back as SCI - Pittsburg (SCIP) in "1995 - 1998" SMOULFLAGING AN experiment. And REPRISAL continues for vigorous exercise Constitutional Protected Activity "Low suit then" and now pur. administratively in track down noise, couple mail interference.

(Section III. (Page Two(2) Continued))

e). Defendant Ben Varner is employed as Superintendent at the State Correctional Institution (SCI) Dallas, at 1000 Follies Road, Dallas, PA. 18612.

F). Defendant Barnett is employed as Superintendent Assistant and Official Grievance Coordinator, at (SCI-D) Dallas, at 1000 Follies Road, Dallas, PA. 18612.

g). Defendant T. Stachelek is employed as Deputy Superintendent of Facility Management/Security, at the SCI-Dallas, at 1000 Follies Road, Dallas, PA. 18612.

h). Defendant Frank D. Gallis is employed as Superintendent at the State Correctional Institution Coaltownship (SCI-CT), at 1 Kelly Drive, Coaltownship, PA. 17866-1021.

i). Defendant Kandi K. Dascami is employed as Superintendent Assistant / Grievance Coordinator, SCI-Coaltownship, at 1 Kelly Drive, Coaltownship, PA. 17866-1021.

j). Defendant Beamon L. Lane is employed as Deputy Superintendent Centralized Service, SCI-Coaltownship, at 1 Kelly Drive, Coaltownship, PA. 17866-1021.

k). Defendant Roy E. Johnson is employed as Deputy Superintendent Facility Management/Security, SCI-Coaltownship, at 1 Kelly Drive, Coaltownship, PA. 17866-1021.

l). Defendant Kinskie is employed as Unit Manager (when violation committed, E-Block) at the SCI-Coaltownship, 1 Kelly Drive, Coaltownship, PA. 17866-1021.

m). Defendant Joseph Chesney is employed --- (that is upon belief) still as Superintendent at the State Correctional Institution Frackville (SCI F), at 1111 Altamont Boulevard Frackville, PA. 17931.

n). Defendant Robert Shannon was employed as Deputy Superintendent of Facility Manage and Security at SCI-Frackville. But since such time knowledge have been gain that the defendant are now employed as Superintendent at SCI-Mahanoy, 301 Morea Road, Frackville, PA. 17931.

o). Defendant B.K. Smith is employed as Deputy Superintendent of Centralize Service SCI-Frackville at 1111 Altamont Boulevard, Frackville, PA. 17931.

Each defendant is sued individually and in his or her's official capacity. At all times mentioned in this Complaint each defendant acted under the color of Pennsylvania Law.

(Section IV of Page Two (2) Continues)

17. Two (2) out of the 3 1/2 years violation occurred (SCIF - CTS)
18. Where noise levelled Plaintiff twenty-four 24 hours a day,
19. Seven (7) days a week adopted and carried - over upon arrival
20. Prison's (RHU) from (SCIF) in August, 1998. Then continued
21. Release Prison General Population and any subsequent period
22. Confinement (RHU) through-out and until present (SCIF).

3).

Surface and circulation noise first encountered and experience about the last five (5) to six (6) months prior transfer (SCIF: RHU) to Conltonship's. At which time Robert Shannon Resided Deputy Superintendent Prison Frackville and Scheuren believed Unit Manager (RHU-Annex) when existed where complaints first commence establishing record during stay Prison one solid year August 6, 97, until August 25, 98, under going disciplinary custody (DC) time (Frank: RHU-Annex and Pottm RHU).

OCCURRENCE SCIF-Conltonship Similar (SCIF):

4).

Whatever, sort device responsible --- "if 18 U.S.C. § 2510 OR 18 P.A.C.S.A. § 5701 OR the (D.O.C.) OR an individual institutions themselves the circulation noise electronically, computer, possibly "that is" "if" satellite or dish. Plaintiff has no ideal or way knowing, but seem device are with ability to relay information other inmates cell, the P.A. system, as well enables staffs and inmate hearing, circulate other areas Prison, including but not limited, tracking and following Plaintiff: person to and fro through-out Prison, religious service library, etc., though some confirm hearing noise, but not man

It appears that majority interacts noise conversing in soft toned voice or mumbos. Later affirm by clear and appropriate expression the individual's own remarks.

5).

In furtherance noise, often wrongs are gradually advance by aid Correctional Officer (C.O.) staffs for most part when travel housing unit or upon escort nurses sick-call who assist some way or another spreading and or whisper rumors other inmates or inmates seek information verbal and written (C.O.) staffs who: on what prisoner "term grind-up" or hit all their ability to hear noise pursuant Plaintiff or

Simply with knowledge violation and by whom (s) Responsible. Then knowledge usually gain Plaintiff by other inmates blather attending outdoor exercise yard (RMU) or conversing among themselves confined cell. All purposes retaliation extended to endanger, threat, humiliate, intimidate and use other inmates as occurred (SCIF, SCI-CTS) and now (SCC) to sow discord and scorn, belittle, discredit to portray his person snitch for sole cause to break his hand decline and compliance double cell. And if not cause of actual injury such as nervous break-down, or even death or as occurred - - - - traumatic stress and anxiety which has induce what Plaintiff (beyond belief) "knows" to be "stroke that impaired his speech" and severely affected (nearly paralyze) the entire right side his body lasting this 3 1/2 to 4 years now.

6). But due to vigorous exercise Plaintiff have maintained in his state of condition seemingly able to stabilize deformity in hopes decrease from going bad to worse, again that is upon belief.

7). Further the circulation noise Plaintiff complain are

1. connected and responsible somehow "cause dreams" being
2. unnaturally produced his person, but experimental as if some
3. how, by some means prints of images are able to be planted
4. the human mind. Nor naps or sleep are [REDACTED]
5. brought on upon basis naturalness of the human body as
6. tiredness or exhaustion, but instead some sort extreme
7. heat able to increase the human body and cell temperature
8. thereby causing one to become drowsy and sleepy - with
9. dreams suddenly appearing.
10. Plaintiff are of sound mind, average intelligence, under-
11. stands, comprehend and has no past history psychological
12. or mental illness, besides that which are believed have been
13. orchestrated and continuous, ongoing being created and
14. employed his prison life occurring within the last past
15. three to four years now started as far back SCI-Pittsburg
16. or SCI-Waymart upon stay there (RMU) until present

11. SCI CONTINUED FOR RETALIATORY AND CONSPICUOUS PURPOSES BESIDES
 18. the "decline double cell" which constantly resulted misconduct
 19. REPORTS. - [REDACTED] BUT ALSO AS TOOL PRISON OFFICIALS TO EXERCISE
 20. AT WILL AND UNJUSTLY RETRIAL FOR WIDE PSYCHIATRIC/PSYCHOLOGIST
 21. DEPARTMENT FOR LOCK-DOWN A (DRY OR HARD CELL) DAYS, WEEKS OR
 22. POSSIBLY MONTHS AT A TIME PROHIBIT ANY PERSONAL BELONGINGS,
 23. CLOTHING, ETC., OF WHICH PLAINTIFF WAS THREATEN THEREWITH DAILY
 24. AT SLIGHTEST SIGN VERBAL OR WRITTEN CONTEST. . . . NEVERTHELESS,
 25. RETALIATION CONTINUE UNTIL AND THROUGH TIME SINGLE CELL WAS
 26. APPROVED (SCI-CTS), THOUGH NOT YET ESTABLISHED Z-CODE.

8). PLAINTIFF ARE FURTHER KNOWLEDGEABLE AND KNOWS FOR FACT THAT
 DREAMS ARE NOT THOSE HIS OWN PRODUCED NATURALLY OF HIS OWN BODY,
 BUT SOME SORT TECHNOLOGY. OTHER OCCURRENCES CONNECTED NOISE
 ARE HIGH-PITCH SOUND, (THOUGH DO NOT KNOW HOW TO EXPLAIN) BUT
 COMPARATIVE, THOUGH NOT - - - - "A TELEVISION SOUND WHEN TURN-ON"
 AND APPEARS BE CONTROLLABLE IN PITCH, ABLE BE HIGHER OR LOWER, COME
 AND GO WHEN NECESSARY OR CONVENIENCE IN SITUATIONS AS STAFFS OR
 ASSOCIATES PLAINTIFF'S ATTEMPT ENTRY CELL ASSIGNED OR OTHERS
 TOUR HOURSING BLOCK NOISE SEEN OR BETTER YET FINDS.

FURTHER, THIS MAY SEEM A LITTLE FAR-FETCH. BUT PLAINTIFF
 WOULD GO AS FAR TO EVEN SUGGEST AS RESULT HIS ABILITY TO HEAR
 NOISE AND SEEMINGLY NON-OTHERS, ARE IN PLANT POSSIBLE.

9). APPARENTLY, NOISE SEEM ABLE ONLY BE HEARD PLAINTIFF IN CELL AT
 1. ALL TIMES SO LONG CONSCIOUS AND REMAINS AROUND THE CLOCK CENSORSHIP
 2. HIS PERSON OFTEN BRINGING UPON DROWSINESS MAINLY WHENEVER
 3. ENGAGED ANY SORT WRITING SIMPLY AS A LETTER AND ESPECIALLY LEGALLY
 4. OTHER SYMPTOMS APPEARS BE CONNECTED STEADY CIRCULATION NOISE
 5. BEYOND HIGH PITCH SOUND DROWSINESS BRINGING UPON NAPS/SLEEP, THEN
 6. SUDDENTLY THE EXPERIMENTAL DREAMS WHICH EPISODE WAS NOT NATURAL.
 7. FOR THIS COURT'S EXAMPLE: "WHERE DREAMS PRODUCED A SINGLE FAMILY
 8. MEMBER OR TWO AT A TIME WITH PLAINTIFF THEREIN - [REDACTED] USING HIS PERSON
 9. TO MAKE IDENTIFICATION EACH UNTIL ALL HAD BEEN IDENTIFIED, PRODUCED
 10. DREAM BY DREAMS.
 11. NOTWITHSTANDING, DEVICE APPEARS BE WITH ABILITY TO "PLANT

12. thoughts the human mind, draw information therefrom hidden or
 13. unhidden, repeat of thoughts whether silent or expressed aloud,
 14. constantly distorting Plaintiff's criminal and family history
 15. but whether others (inmates) can hear as Plaintiff --- are up in
 16. air, questionable. Though know for fact their knowledge are or if
 17. gained are gained by staffs prison leak of information, level's
 18. allegations in accurate, threats of new criminal charges should
 19. Plaintiff not put at end his legal activity, and seldom
 20. accusations wrong as alleged others.
 21. Noise appears only be geared, directed leveling Plaintiff.
10. Cause if not sole "fact" to break Plaintiff Z-code cell status. Than two fold: (1) Experimental and (2) as well reprisal using as tool spread past criminal history and believe production rap-sheet others as result (C.O.) staffs including those of chain command and above conspicuous conduct and or dislike his demeanor, knowledge law and evidently grant and issuance by staff vote SCI - CTS adopting psychiatric recommendation was not in good faith, nor could have been after grant where numerous experience trouble "no more than" reprisal encountered staffs population prison as well (RMU), and upon any sequent event return confronted with quarrels, quizzing and threats issuance misconducts averting discrepancy rests cell status which substantiate accord (PRC) monthly Periodic Review Rationales (PAR) from assign No. # 671939 until release (RMU) after extensive period detention ending at assignment No. # 793558 discharging general population sequent the arrival - SCI - CTS until incident incurring the March 27, 2000, misconduct.
11. (PRR) from, through and until accord assign numbers above distinctly establish cell status "single" though recommended Z-code, as oppose proof the final (PRR) issued Plaintiff just before transfer July 13th which specifically specified 42, meaning (classification level # 4, and cell status - Z code "single" at (PRR) assign No. # 908550, of June 20, 2000.

Moreover, as result discrepancy one incident actually resulted

misconduct infraction charging plaintiff with violation institutional Rules And Regulations "Refusal to obey an order" For declining to double cell allegedly where he were supposed to have been Z-Coded already accord record for knowledge (RHU) officials.

- 12). Retaliation further extend stay SCI-CTS by interference, tampering, obstruction to communicate prohibiting expedition and transmission institutional mail, and believe some out going justice obstructed. But response entered Special Assistant to the Secretary of Corrections Thomas L. James of February 29, 2000, does not establish one way or the other receipt a letter send office plaintiff in furtherance wrongful practice complained prison's security department harassment, budge and discriminatory pattern behaviour constantly mandating urinalysis testes his person responsible Captain Security McANNANEY and knowledge served MAJOR D. A. VARIANO that practice was inconsistent (D.O.C.) policy and law capitalizing wrongs (SCI-A) for single decline occurred past due to reprisal lawsuit. And SCI-CTS purpose to maliciously further scheme by need to break and rescind plaintiff visitational privilege to do away with all outside contact for exercise without hinderance or risk exposure reprisal whenever return hole or necessary permanent lock-down (RHU).

OCCURRENCE SCI-DALLAS:

- 13). ^{Retaliation} Now same exact scheme, malicious, sadistic practice experime
1. Plaintiff underwent SCI-CTS ARE CURRENTLY OCCURRING him SCI-
 2. DALLAS CONSTANTLY CIRCULATION DISPERSING NOISE his (cell # 41,
 3. RHU, KB-block) deliberately conducted and assisted (C.O.) staff
 4. Chain command in cohort which confers deputy and superintendent,
 5. Levels. WROGS further secretly (C.O.) staff by rumors other
 6. inmates alleging things such as, "someone has a sex comater
 7. on them, there's a RAPPER on block - - - to insinuate "RAPER"
 8. OR state actual cell referred. Things of this nature spitefully
 9. and wilfully leveled and spread plaintiff's person further in

10. PURPOSE to ATTEMPT by FORCE, DISCOURAGE to ultimately break his
11. ~~break~~ his hand to FORSAKE the Z-code status, AND RETALIATED in
12. RESPECT his PRESENT AND ONGOING detention ADMINISTRATIVE custody
13. (AC) in SEGREGATION (RHU) ARE being used AS A PRETEXT FOR
14. LONG term CONFINEMENT (PRC) SCID FOR PUNITIVE PURPOSES OF THE
15. JULY 13th TRANSFER AS ADDITIONAL REPERCUSSION the DISCIPLINARY
16. INFRACTIONS INCURRED ELSEWHERE, in violation 37 P.A.C.S.A. 59711(b).
17. TRANSFER thus FAR has been ALLEGED SEPARATION PURPOSES
18. PLAINTIFF FROM STAFF in LIGHT cause INCIDENT SCI-CTS ending
19. MISCONDUCT # 908550, AND MONTHLY ATTENDANCE PERIODIC REVIEWS (PRC)
20. ABSENCE KNOWLEDGE OR PARTICIPATION SERVED ANY INVESTIGATION
21. ALLEGEDLY CONDUCTED SECURITY OR PRODUCTION DOCUMENTARY EVIDENCE
22. REASON WARN IF by vote OR RECOMMENDATION. NOR NOTICE SERVED
23. CONCLUSIVE FINDINGS AS AVOIDED in the MAY 4, 2000, RESPONSE issued
24. by J. HARVEY BELL, BUREAU OF INMATE SERVICE (D.O.C.) seeking
25. intervention ^{by} William A. HARRISON, believed head SUPERVISOR TRANSFER
26. DEPARTMENT (D.O.C.). 37 P.A.C.S. (Code) sec. 93.9.
- 14). PLAINTIFF WAS TRANSFERRED SCID PENDING (AC) CONFINEMENT
- SCI-CTS FOR NEARLY three 3 weeks AWAITING AVAILABILITY bet-
- SPACE PRISON'S POPULATION subsequent EXPIRATION the (DC)
- DISCIPLINARY custody time imposed MISCONDUCT SANCTIONING ninety
- 90 DAYS.

Redress Sought:

- 15). SINCE CONFINEMENT SCID Redress Sought CONTINUOUS AND
- ONGOING the CHRONOLOGY OF events FROM which RETALIATION AND
- CONSPIRACY extends CARRIED - OVER institution to institution
- CONDUCTED, PRACTICE AND DISPERSE PLAINTIFF'S PERSON. ^{37 P.A. Code sec. 93.9.} NOTICE WAS
- SERVED SUPERINTENDENT BEN WAHNER, dated JULY 15, 00, PROMPTLY
- AFTER ARRIVAL. THEN COPY SERVED PERSONALLY DEPUTY SUPERINTENDENT
- STACHELEK UPON RENDEZVOUS (PRC) JULY 20, 00, BUT NO RESPONSE EVER
- RENDER CORRESPONDENCE - - - - though ACKNOWLEDGE ON FINAL APPEAL
- # A273021 in a DC-ADM 802 (AC) PROCESS dated AUGUST 1, 00,

which stipulated continue confinement in response Redress (ARC) hearing's decision.

16. Redress further extend GRIEVANCE COORDINATOR MR. BARNETT time and time again but denied access exercise procedure DC-ADM 804 of the (D.O.C.) Policy, by duplicitous, bogus and crafty tactics use for purpose to prevent entertainment by deliberately and maliciously orchestrating the existence (create) "no remedy available administrative for Redress." Subsequently notification filed (C.H.E.) Chief Hearing Examiner, Robert S. Bitner, August 18, 2001, seeking Redress. But no response rendered as of present. 37 P.A.C.S. (Code) sec. 93.9.

17. Upon arrival SCI-CTS Redress was sought Deputy Superintendents Lane and Johnson, (RHU) Lieutenants Faust and later Martino, Record Supervisor Jennifer Hendrichs some by way written inquiries, and others personal through and until September 1 - 8, 1998, and consultation prior transfer. Subsequent grievances followed Kandi K. Dascani, Grievance Coordinator dated September 10, 98, among other correspondence in Redress tactics delays and prohibition access and exercise process, and in response Acting Superintendent Assistant Jane Hinman issued a decision September 18 & 29, 1998. . . . Then Plaintiff refiled grievance October 7, 98 and November 1, 98, among other responses between with address Superintendent F.D. Grills, Mr. Santarelli, SCI-CTS, Secretary Horn's Office of the (D.O.C.) where response was entered in behalf (D.O.C.) by Vincent Mooney, Inspection Lieutenant of January 19, 99. Finally, grievance filed K.K. Dascani again December 6, 98, where full exhaustion was had (C.H.E.) Level January 20, 99, conferring entertainment previous -- (Relevant Redress the constant and ongoing circulation noise") 37 P.A.C.S. (Code) sec. 94.6.

18. Roles played and further acted the (D.O.C.) and staffs SCI-CTS were thus:
1. Brought the attention Executive Deputy Commissioner,
 2. R. Clymer of the (D.O.C.) by copy a letter of April 17, 2000, addressed
 3. Mr. Harrison, Dep. of Transfer (D.O.C.) the retaliatory, conspicuous
 4. deceitful, and negligent practice and conduct staffs SCI-CTS preserving denial of due process by a disciplinary hearing officer, Warden and (C.H.E.)

5. by exhibits in proof various documents misconduct proceeding fully
 6. exhausted, numerous grievance filed and exhausted long before
 7. incident came to pass, including but not limited to, petition file
 8. deputy B. Lane, who's in charge library department, and R.E. Johnson
 9. head person in charge management and security prison, for ~~excessive~~ and
 10. deceitful acts acting in cohort (C.O.) staffs condoning if not
 11. order tampering, interference and obstruction of justice to communicate
 12. by mail institutionally and domestic outgoing legal and non-legal
 13. have failed and acted deliberate and indifferently to plaintiff's
 14. Federal and State Constitutional Rights by denial or lack show concern
 15. their job duties and responsibility. ^{37 Pa. Code Sec. 94.6} Johnson act conspiracy in
 16. condone unit manager Mr. Kashie and (C.O.'s) wrongful practice
 17. assigned housing unit plaintiff and was responsible dealings inmates
 18. as: (1) Removing mail unit's boxes for transmission designated areas
 19. prison, and (C.O.) confiscation outgoing, (2) habitual practice
 20. partiality when problems arises plaintiff and officers sizing
 21. staff's unit manager and (C.O.). (C.O.) staff pass word on hearing
 22. Examiner (H.E.) Breon who and who not to find guilty misconduct charge
 23. upon appeal (PRC) usually resided over K.K. Dascani or just take size.
 24. Those chain command all because they're staffs and plaintiff inmate
 25. ----- IN context written response served plaintiff deputy superintendent
 26. ent Johnson informing ^{this} recommendation transfer to the contrary Mr.
 27. Bell's Assertion "security". Deputy Lane alleges "uncertainty" and
 28. Counselor Mr. Williams "confirms transfer" upon personal consultation
 29. Rendezvous visits cell (RMU). All whom acted in cohesion scheme
 30. Retaliatory transferring and punitive so long plaintiff maintain
 31. their approved Z-Code single cell status.
 32. Accord assignment number of (PRC) #908550, April 25, 00 and
 33. May 23, 00, documents establish custody level ST, believe means
 34. level #5. Transfer, and the June 20, 00, Rationale establish #42
 35. (PRC) Release General Population upon availability bed space.

19). Including assistance superintendent Mr. Kandi K. Dascani for
 her actions played scheme denying access and exercise the (804)
 procedure some grievance petitions and denial a fair and impartial
 when access are gained in cohort the chronology of events from ^{37 Pa. C.S. (Coe) Sec. 93.9}

which Retaliation extend the Z-Code. Further Referring Grievances substitute for entertainment, entry and issuance Response subordinate who deny fair and impartial Review Accepting without question staff's version totally ousting the inmate who request personal interview consistent policy for further info. Subsequent entry and issuance Response substitute Grievance Coordinator's Finding of Facts are fully adopted and Finalize official Coordinator Ms. Dascani.

20). ERRONEOUS PRACTICE ARE FURTHER BY SUPERINTENDENT F. D. GRILLS: Role played upholding wrongs and decisions subordinate employees below Responsible Affiliation Process entry and issuance Response. And or does not fulfill his Role when Review/APPEALS ARE FILED HIS PERSON, BUT LEAVES matter up to his assistant superintendent, Grievance Coordinator Responsible initial level to act in his capacity to further denial Access a fair and impartial hearing in chief Retaliation by Failure to act.

21). Through-out ordeal SCI-CTS, Contact has been vigorously sought the United States Department of Justice, F.B.I., Philadelphia Pennsylvania, standard mail September, 99. Then Redress gave way specifically the F.B.I., service by certified mail in a letter dated July 10, 2000, seeking investigation the steady, constant and ongoing circulation noise Plaintiff assigned cells incarcerated. Following contact sought the United States Attorney General Office Mrs. J. Reno, by way letter dated February 14, 2000, service certified mail, and copy served Mr. Fisher, of the Attorney General Office of Pennsylvania, but as of present day no respond ever enter or received Plaintiff at prison. Furthermore correspondence was sought as well organizations.

22). And prior SCI - Frackville upon first encounter "noise" bottom hole (RHU), Following Redress the Retaliation occurred prison. Annex AS FAR back February 17, 98, seeking Redress Grievances among other Responses. Then refiled March 1, 98, issue assigned Number # FRA-0100-98, and full exhaustion had (C.H.E.) April 16,

with prior input issue in a decision April 13, 98, by J. H. Bell (D.O.C.) among other grievance petitions filed, another June 6, 98, and exhausted (C.H.E.) during stay SCIF. A letter of August 7, 98, service by certified mail seeking redress coordinator's Mr. James Forr deliberate, bogus excuses denial access process (DC-ADM 804) but no response ever rendered. Then contact sought as well the United States Department of Justice Washington, DC, as early back 1997 or 1998, concerning the steady circulation noise prison's bottom hole (RHU). Simultaneously copy served Secretary (D.O.C.) Martin F. Horn August 24, 98, and Senator Greenleaf's office wherefore response issued Vincent F. Mooney (D.O.C.) September 10, 98, in advise letter was referred department for respond.

22a). During Plaintiff's confinement bottom hole (RHU) A-cell #11) A grievance was filed dated June 6, 98, to Grievance Coordinator (SCIF) Mr. Forr complaining leak of personal information his prison files other inmates in conjunction the constant circulation noise his assigned cell, housing unit and ~~same noise~~ ^{echoed} same noise outdoors leaking information and leveled accusations his person only to be denied access and exercise process (DC-ADM 804) followed by fabrication alleging he relied among numerous other bogus excuse sequentially entered for response.

22b). Subsequently over-all grievance matter was brought the attention Deputy Superintendents Shannon and Smith upon attendance the monthly (PRC) hearing of July 5, 98, only to be continued as result Plaintiff's position decline double celling.

22c). Then on August 2, 98, redress was sought Superintendent Joseph Chesney, and intercepted by Mr. J. Forr who entered and returned respond Plaintiff August 3, 98, followed by others in response the continuous and ongoing correspondence for break-through as result denied access and process.

CPAGE # 28-9m?

- 22d.) On August 7, 98, Redress was sought (C.H.E.) by Letter Service certified mail, but no response ever returned the Plaintiff as of present day.
- 22e.) Further Redress was sought Superintendent Chesney by way inmate request (DC-135A) Form dated August 13, 98, and copy served Deputy Shannon in reference the ongoing constant circulation of noise, including a host of other wrongful and unethical activity rough by a pattern of practice, conduct and habitual behaviour from which reprisal and conspiracy extend.
- 22f.) On August 16, 98, written correspondence was sought Record Supervisor of Prison (SCIF) JOANN ZARTO, servicing copy a MR. SEARFOS seeking Redress same format circulation noise but harsher experience Plaintiff then, though still occur this very day. And Response ~~was~~ rendered by Supervisor August 18, 98, which held thus:
- " MEANS, PRISONERS RECORDS ARE
KEPT / STORED BY PRISON ARE --- (Computer
And Actual Files). "
- 22g.) Subsequently, in a letter of August 24, 98, communication was forward Secretary Horn in furtherance complaining circulation the noise, its echo somehow across the sky outdoors coupled same exact occurrence of other inmates participation assisting (C.O.'s) housing unit for "BRIND-UP" Plaintiff instant (SCIF) though most deny association whenever inquire versus their field day.
- 22h.) Pattern wrongful practices continued until Plaintiff's transfer from (SCIF's, RHM) to and until transfer (SCIF-CTE), and presently since carried-over (SCIF).

Claims

First Cause of Action

- 23). Defendant MARTIN F. HORN, SECRETARY (D.O.C.) is directly
1. Responsible for the policies that govern each SCI under
 2. his jurisdiction, including Dallas and Colltownship Prison. He
 3. is legally and ultimately responsible for the actions, inactions,
 4. decisions, response, conduct and deeds of Agents and constituents
 5. under his supervision of the (D.O.C.): Supervise subordinate employees
 6. and staffs of each (SCI). And has shown a wanton willful deliberate
 7. indifference to the Plaintiff's U.S. Const. Amend. Right: 1, 8, and 14.
 8. Right to petition, prohibition against cruel and unusual
 9. punishment, due process and equal clause.
10. Example A instant where communication was sought SECRETARY
11. HORN for redress (C.H.E.) erroneous habitual practice denying
12. fair and impartial review pursuant GRIEVANCE # COA-0495-99,
13. but never responded the November 12, 99, inquiry. Plaintiff was
14. compel to seek address others in hopes bringing about response by
15. initiating correspondence serving copy Executive Deputy Commissioner
16. R. Clymer (D.O.C.), addressed ~~THOMAS L. JAMES~~ stated PARAGRAPHS/
17. (PARAG) ~~AND~~, and Horn's Special Assistant to ~~the~~
18. ~~I~~ render response ---- "though when does only condone wrongs" at
19. (PARAG) 12. Subsequently response was entered February 29,
20. 2000, which in essence avoided redress Plaintiff's November 12th
21. letter whether received or no, including but not limited violations at
22. 1 - 34, (specific) 3, 4, 7, 1, 15 - 18, 17 AND 22, 229. 6h.

Second Cause of Action

- 24). Defendant William A. Harrison is legally responsible
- actions, inactions and decisions his subordinate J. HARVEY Bell
- or by failure to act where knowledge was served him in context
- the retaliatory transfer stated (PARAG) 2, 3, 13, 25, 14, AND 18, 1, 3, 2nd, with
- and deliberate indifference has wantonly caused Plaintiff to
- suffer tremendously as result wrongs consciously adopted and
- carried over from SCI-CIS to SCID, conducted, practice and disserve h
- PERSON.

Third Cause of Action

- 25). Defendant J. HARVEY Bell is legally Responsible and has shown a wanton willful deliberate indifference to the Plaintiff U.S. Const. Amend. Rights 8 and 14. Prohibition against cruel and unusual punishment, due process and equal protection clause by his action authorizing a deceitful and retaliatory transfer fully knowledgeable responsive notification served W. A. HARRISON, and conspired with defendants of SCI-CIS and APPROVED, at (PARAG.) 2, 3, 4, 5, 13, 24, 14, 18 and 22, 22b.

Fourth Cause of Action

- 26). Defendant ROBERT S. BITNER, (C.H.E.) of the (D.O.C.) ARE Responsible for Final Review Grievance and misconduct appeals without bias, prejudice or partiality. He is directly responsible rectification erroneous decisions hand-down supervise subordinate employees and staff (SCI) responsible input the (DC-ADM 801 and 804) PROCEDURE PURSUANT (PARAGS.) 16, 17, 18, 22 ^{→ 37 P.S. (C.S.) 59} MORE. AND he is LEGALLY Responsible for unconstitutional practice that deny Plaintiff due process, equal protection clause, right to petition and prohibition against cruel and unusual punishment from which extends a chronology of events retaliation and conspiracy for exercise constitutional protected activity, and pursuing matter cell status. Defendant has conducted and show a history, pattern and practice of behaviour acting in coercion constituents/subordinates below denying Plaintiff continuously fair and impartial review of grievances and misconducts on final appeal adopting, condoning and habitual affirm decisions below since time Plaintiff's challenge in C.A. 95-cv-01472. HAS show a wanton willful deliberate indifference to the Plaintiff's U.S. Const. Amend. Rights 1, 8 and 14.

Fifth Cause of Action

- 27). Defendant BEN VARNER, SUPERINTENDENT (SCID) is legally

Responsible for the operation, and welfare of all the inmates of the Prison. He is legally and directly responsible (supervisory liability) for a chronology of events carried-over from SCI- Conantownship to Dallas from which retaliation and conspiracy continues and are ongoing constantly circulating noise Plaintiff's cell stated (PARAGS.) 1, 2, 13 thru 15, by failure and or refusal to act or render redress Plaintiff's July 15, 2000, correspondence which sought redress the unconstitutional practice whether acts his own, coercive, or supervise subordinate employees and staff. Defendant has shown a wanton willful deliberate indifference to the Plaintiff's U.S. Const. Amend. Rights at 1, 8 and 14. Right to Petition, Prohibition against cruel and unusual punishment, due process and equal protection clause.

Six Cause of Action

28).

- Defendant Barnett, Grievance Coordinator (SCED) is
1. Directly responsible process of prisoners grievance petitions -
 2. Initial level review (which have a built-in appeal procedure) -
 3. Appeal from initial level to End level - Superintendent, and final level
 4. (C.C.H.E.). He is legally responsible for denying Plaintiff
 5. Access and exercise the (DC-ADM 804) process for ~~grievance~~ ^{grievance} filed
 6. Sept. 4, 00 then refiled Sept. 13, 00; Aug. 24, 00, and initially July 21, 00 at point 2
 7. Seeking redress the constant circulation note his assigned cell
 8. For retaliatory purposes required exhaustion by the (PLRA).
 9. His failure to act or act coercion despite acknowledgement
 10. Petition alleging docket number assigned though did not reveal
 11. or reveal inspite Plaintiff's numerous inquiry. Defendant by
 12. Failure and refusal continues to deny, enter and issue response
 13. Plaintiff's grievance petition of July 21, 2000, Ground # 2, as of
 14. Present day create as stated (PARAGS.) 1, 2, 13 & 16, "No remedy
 15. available redress". And by a willful and deliberate indifference
 16. has wantonly caused Plaintiff to suffer physical,
 17. psychological, emotional distress, mental anguish, humiliation
 18. intimidation and threats in violation his U.S. Const. Amend.
 19. Rights, 1, 8 and 14. Right to Redress, prohibit cruel and unusual
 20. punishment, due process and equal protection clause.

Seventh Cause of Action

37 PA. (Code) § 94.8

29. Defendant T. Stachelek (SCI-1) is directly responsible for
1. head of security and committee person the July 20, 2000, (PRC)
 2. PROGRAM Review Committee hearing conducted for further review
 3. Plaintiff's Release. General Population Prison subsequent hearing
 4. held intake upon arrival transfer SCI-CTS July 13, 00, at
 5. which time copy notification address Superintendent Varner was
 6. personally served deputy and committee relevant nature continuous
 7. and ongoing circulation noise his assigned cell (RHU), among
 8. other events from which retaliation extend Coal Township (CTS)
 9. conspicuously adopted. Carried over. Now scheme in practice Dobb

10. He is legally responsible for punitively penalizing Plaintiff
11. for more than sixty days now in addition undergoing detention (AC)
12. where he still remains this present day recommended psychiatry
13. evaluation as result service knowledge (PRC) the written document
14. for attention superintendent complaining conspiracy - circulation
15. noise as further punishment adopted superintendent in a response
16. of August 1, 2000, for sustain (PRC) decision # A273021, finalizing
17. appeal in a (DC-ADM 802) process concurring continue confinement
18. (AC) ^{37 PA. C.S. (Code) § 9711(b) and 9311,} erroneously recorded session number as # A204323 of 7/2/00
19. immediately objected 8/8/00, for correction and corrected as thus
20. accord underline above 7/2/00. (PARAS. 1, 2, 3, 4, thru 15, 18, 23 therein)

21. Nevertheless, (PRC) 7/2/00, decision alleged for basis Recommendation
22. psychiatric evaluation "danger to self and or others inmates/staff
23. Resting cause misconduct report incurred SCI-CTS trigger
24. transfer warn so day in addition although "quote unquote" SCI-
25. Dallas was allegedly suppose to be an appropriate facility
26. sufficient and adequate for accommodation such behaviour
27. Defendant and staff portrays accord those responsible transfer
28. Facility he should reside a level # 4 SCI-CTS to a level # 3
29. SCI- Dallas only to undergo further penalty punitively. 37 PA. C.S. A
30. § 9711(b). And by a wanton willful deliberate indifference has
31. cause Plaintiff to suffer a loss of sleep, impairment of speech,
32. headaches, physical pain, emotional distress, mental anguish, shock
33. trauma, humiliation, intimidation and threat of violence in violation
34. his U.S. Const. Amend. Rights at 1, 8 and 14.

Eighth Cause of Action

30.

Defendant Frank D. Grillis Superintendent SCI-CTS by
 * the failure to properly train correctional personnel employed
 * prison and supervise subordinate employees. Adopt and confirm/
 affirm erroneous, unfair and partial decisions of subordinate
 and ~~that~~ the constant noise circulated cell stated in (PARAG.) 1-
 12, 13, 17, 20, 14 and 21. He is legally and ultimately responsible for
 prison, the welfare of all inmates of that prison, all programs
 and activities of the institution, and has shown a wanton willful
 deliberate indifference to the Plaintiff's U.S. Const. Amend.
 Rights at 1, 8 and 14. Right to petition, prohibition against
 cruel and unusual punishment, due process and equal protection clause.
 The unconstitutional practice which has caused Plaintiff to suffer,
 suffer a loss of sleep, headaches, physical pain, emotion distress,
 mental anguish, shock trauma, humiliation, threats and intimidation,
 stated (PARAG.) 5 and 6.

Ninth Cause of Action

31.

Defendant Kandis K. Dascani, Grievance Coordinator SCI-CTS
 1. is directly responsible process of prisoners grievance petition (initial
 2. Level Review). ^{37 PA.C.S. (Code) § 93.9.} She is legally responsible the chronology of events
 3. from which retaliation and conspiracy occur stated (PARAGS.) 1-12
 4. 17, 18, 1-24, 19 and 21 for failure to act or total denial access and
 5. exercise process (DC-ADM 804) or act coercion, denial process for bogus
 6. reasons upon acknowledgement where petition fully, adequately and
 7. sufficiently comply (D.O.C.) policy for acceptance and process seeking
 8. redress over-all retaliation the Z-Code status and constitutional
 9. protected activity. Actions and inactions substitute subordinate
 10. grievance coordinators referred investigation, entry and issuance
 11. response. Exercise of an arbitrary and capricious decision making
 12. process acting bias, prejudice denying fair and impartial review
 13. in determine matters complained. Then adopts decisions as official
 14. coordinator finalizing relief her level has shown a wanton willful
 15. deliberate indifference for unconstitutional practices that has
 16. cause Plaintiff to suffer mental and emotional distress and anguish
 17. physical pain, humiliation, intimidation, loss of sleep, and headaches -
 18. indifferently not only by failure and denial to act, but unprohibit constant
 19. circulation noise and orchestration (creating waiting) his prison files

20. Utilizing Prison's Psychiatric / Psychologist Reports For Punitive
 21. Purposes in Violation Plaintiff's U. S. Const. Amend. Rights,
 22. 1, 8 AND 14.

Tenth Cause of Action

- 32). Defendant B. Lane (SCI-CTF), of centralize service ARE directly responsible for actions and inactions supervise subordinate employees and staff LIBRARY department by failure to act, and is legally responsible where personal knowledge was served pattern and practice that denied Plaintiff meaningful court access and reasonable time attendance law clinic compound by other hindrances, could reprisal encounter filing complaints ---- of which cause failure to act PAVE-WAY misconduct infractions for capitalize and orchestration RETALIATORY and conspicuous transfer..... Further he is legally responsible for the unconstitutional practices that denied Plaintiff due process, equal protection, and prohibition against cruel and unusual punishment stated in (PARAGS.) 1 thru 11, 13L. 17-26, 17, 18L. 1-8, 21 (21), for which knowledge was served occurrence experience (SCIF) immediately conducted upon arrival Calhounship. And defendant referred Prison's security for disposition. (SUPERVISORY LIABILITY).

Eleventh Cause of Action

- 33). Defendant Roy E. Johnson (SCI-CTF), Facility manager is
1. directly responsible management, security and operation of housing
 2. units of the institution. He is in charge of all correctional officers
 3. (C.O.), unit managers, and are head committee person (PRC)
 4. PROGRAM Review Committee responsible inmates confinement or continue
 5. confinement (AC) administrative custody, RHU/SMU Restricted
 6. Housing Unit, Special Management Unit, etc, and hearing initial
 7. appeal misconducts He is legally responsibility for the
 8. unconstitutional practices "A chronology of events from which
 9. Retaliation and conspiracy was implement Plaintiff reference (PARAG
 10. 1 thru 12, 13L. 17-26, 14, 17, 18 AND 21, UPON ARRIVAL Prison
 11. CARRIED - OVER FROM (SCIF) FOR decline / Refusal double celling

12. which continue long after, through and grant single, and in
 13. reprisal his steadfastness maintain thereof, exercise constitutional
 14. protective activity confined (RHU) and population by camouflaging
 15. the misconduct incident for capitalize and or act cohesion
 16. show cause transfer that deny prisoners due process, equal protection
 17. right to petition and prohibition against cruel and unusual
 18. punishment. Defendant by a willful and deliberate indifference
 19. has wantonly caused plaintiff to suffer a loss of sleep, emotion
 20. distress, mental anguish, physical pain, threats of bodily harm,
 21. shock trauma, impairment of speech, humiliation, intimidation, mistreatment
 22. and beyond.

Twelfth Cause of Action

34).

Defendant Kaskie, unit manager (SCI-CTS) is directly responsible for decisions in regard control, the operation of inmate housing unit and open communication and meaningful interaction between staff and inmates. He is legally responsible for the unconstitutional practices that deny plaintiff right to petition, due process, equal protection and prohibition against cruel and unusual punishment through by continue and ongoing circulation noise plaintiff's assigned cell his housing unit in general population prison in cohesion retaliation and conspiracy superiors by failure to stop violation bringing knowledgeable or reprisal as result plaintiff's steadfastness (refusal to give-up his single cell status allegedly Z-coded from time grant). He is further legally responsible for reprisal experience and distress (C.O.) staffs assigned to work housing unit, namely regulars under his management set forth in (PARAGS.) 1, 4, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. ~~It was shown~~ a wanton willful deliberate indifference to the plaintiff United States Const. Rights at U.S.C.A. 1, 8 and 14.

35).

Plaintiff also alleges defendant's violations of state law; (pendent claim) named above and following.

Thirteenth Cause of Action

- 36). Defendant Joseph Chesney Superintendent (SCIF) is legally responsible for the operation, and welfare of all the inmates, including but not limited, failure to properly train correctional (C.O.) personnel and supervise subordinate employees and staff of the prison; has shown a wanton wilful deliberate indifference to the Plaintiff's United States Const. Rights at U.S.C.A. 1, 8 and 14, for unconstitutional practices a chronology of events from which retaliation and conspiracy occurred stated in (PARAGS.) 1, 2, through 7L. 10-20, 9L. 14, 12L. 1-4 and 22 through to 22F in that deny prisoners, right to petition, due process, equal protection and prohibition against cruel and unusual punishment.

Fourteenth Cause of Action

- 37). Defendant James Forb, Grievance Coordinator (SCIF) is directly responsible process and response of prisoners' grievance at (Initial Level Review), 37 Pa. C.S. (code) § 93.9. And is legally responsible for the pattern of unconstitutional practices of chronology events from which retaliation and conspiracy extend ~~to~~ resulted Plaintiff's persistent decline double celling while pursuing single cell status by exercise constitutional protected activity.

Defendant by a wilful and deliberate indifferent has wantonly cause Plaintiff to suffer a loss of sleep, headaches, physical pain, impairment of speech, emotion distress, mental anguish, shock trauma, humiliation, intimidation and mockery in violation his United States Const. Rights at U.S.C.A. 1, 8 and 14. Right to petition prohibition against cruel and unusual punishment, due process and equal protection of the law as set forth similar occurrence (see - cts) in (PARAGS.) 1 through 7 at L. 10-20, 9L. 14, 16-20, 10L. 1-5, 18L. 9-12, 22, 22b., 22g., and 22h.; also similar (see) at 13L. 1-8.

Fifteenth Cause of Action

38. Defendant Robert Shannon (SCIF), of Facility Manager was directly responsible management, security and operation of housing units of the prison. He was in charge of all correctional officers (C.O.) staff, unit managers and head/superior person (PRC) program review committee. He is legally responsible for the unconstitutional practices from which a chronology of events extend in retaliation and conspiracy to break Plaintiff's long term position declining double cell, and bring compliance by force either using those responsible exercise if not ordered purpose his refusal and denial grant of status was by a wanton willful deliberate indifference to the Plaintiff's United State Const., Rights at U. S. C. A. 1, 8, and 14, and cause him to suffer as stated in (PARAGS.) similar (SC1-CT3) 1 through 7L. 10-20, 9L. 14, 16-20, 10L. 1-5, 18L. 9-12, 22, 22b., 22c., and 22h; Further in like manner (SC1E) at 13L. 1-8, "though (SC1F) violations occurred first."

Sixteenth Cause of Action

39. Defendant B.K. Smith (SC1F), Centralize Service is legally responsible for his engagement by order of failure to prohibit pattern of unconstitutional practices of a chronology of events from which retaliation and conspiracy ^{occurred} when Resided as head/superior committee person (PRC) conducting hearings and have conclusive determination of Plaintiff cell status had by a willful and deliberate indifference wantonly caused him to suffer as outlined similar (SC1-CT3) wrongs in (PARAGS.) 1 through 7L. 10-20 and 22b that deny prisoners right to petition, prohibition against cruel and unusual punishment, due process and equal protection of the law..... Concurring No. 35 hereinafter.

- e). 15,000 AGAINST defendant BARNETT;
- f). 10,000 AGAINST defendant T. Stacheleck;
- g). 25,000 AGAINST defendant FRANK D. GRILLIS;
- h). 15,000 AGAINST defendant Kandi K. Dascan;
- i). 20,000 AGAINST defendant Roy E. Johnson;
- j). 15,000 AGAINST defendant B. Lane;
- k). 10,000 AGAINST defendant Kaskie,

From each of them.

5. GRANT punitive damage of \$15,000 to 20,000 AGAINST each of the defendants to Plaintiff.

6. Plaintiff's costs of this suit.

7. Grant such other and further relief as this court deems just, proper and equitable.

Addition to No. # 4:

- l). 20,000 AGAINST defendant J. Chensel
- m). 25,000 AGAINST defendant - former deputy superintendent, R. SHANNON
- n). 18,000 AGAINST defendant B.K. Smith.

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

■ WHEREFORE, PLAINTIFF REQUESTS THIS HONORABLE COURT
GRANT THE FOLLOWING RELIEF:

1. Suit be held ALIYANCE AND ORDER ISSUE DIRECTING
DEFENDANTS RESPONSIBLE GRIEVANCE PROCEDURE (DC-ADM804
SCI-DALLAS AND (C.H.E.) OF THE (D.O.C.) ROBERT S. BITNER
TO PERMIT PLAINTIFF FULL AND ADEQUATE ACCESS THE PROCESS
WITHOUT INTERFERENCE, HINDERANCE OR DELAY, TO, THROUGH
AND UNTIL FULL EXHAUSTION HAS.

2. A PROTECTIVE ORDER OF PLAINTIFF CRIMINAL RECORD
RETAIN CUSTODY AND CONTROL PRISON OFFICIALS (SCI'S) TO
PREVENT "AS EXPERIENCE" LEAKS PAST CRIMINAL HISTORY
IN FUTURE TIMES, AND FAMILY.

3. A JURY TRIAL ON ALL ISSUES TRIABLE BY JURY.

4. GRANT COMPENSATORY DAMAGE FROM EACH OF THEM TO
PLAINTIFF IN THE FOLLOWING AMOUNT:

A). 50,000 AGAINST DEFENDANT MARTIN F. HOA

B). 30,000 AGAINST DEFENDANT J. HARVEY BELL;

C). 40,000 AGAINST DEFENDANT ROBERT S. BITNER

D). 15,000 AGAINST DEFENDANT BEN VARNER;

(Continue Attached Rider, P. #3A)

Signed this 19th day of September, 2000.

(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

9-19-2000
(Date)

(Signature of Plaintiff)

**FORMS TO BE COMPLETED BY PRISONERS FILING A CIVIL RIGHTS
COMPLAINT UNDER 42 U.S.C. § 1983 or 28 U.S.C. § 1331**

COVER SHEET

THIS COVER SHEET CONTAINS IMPORTANT INFORMATION ABOUT FILING A COMPLAINT AND YOUR OBLIGATIONS IF YOU DO FILE A COMPLAINT. READ AND COMPLETE THE COVER SHEET BEFORE YOU PROCEED FURTHER.

The cost for filing a civil rights complaint is \$150.00.

If you do not have sufficient funds to pay the full filing fee of \$150.00 you need permission to proceed *in forma pauperis*. However, the court will assess and, when funds exist, immediately collect an initial partial filing fee of 20 percent of the greater of:

- 1) the average monthly deposits to your prison account for the past six months; or
- 2) the average monthly balance in your prison account for the past six months.

Thereafter, the institution in which you are incarcerated will be required to make monthly payments of 20% of the preceding month's deposits credited to your account until the entire filing fee is paid.

CAUTION: YOUR OBLIGATION TO PAY THE FULL FILING FEE WILL CONTINUE REGARDLESS OF THE OUTCOME OF YOUR CASE, EVEN IF YOUR COMPLAINT IS DISMISSED BEFORE THE DEFENDANTS ARE SERVED.

1. You shall file a complaint by completing and signing the attached complaint form and mailing it to the Clerk of Court along with the full filing fee of \$150.00. (In the event attachments are needed to complete the allegations in the complaint, no more than three (3) pages of attachments will be allowed.) If you submit the full filing fee along with the complaint, you **DO NOT** have to complete the rest of the forms in this packet. **Check here if you are submitting the filing fee with the complaint form.** _____

2. If you cannot afford to pay the fee, you may file a complaint under 28 U.S.C. § 1915 without paying the full filing fee at this time by completing the following: (1) Complaint Form; (2) Application To Proceed In Forma Pauperis; and (3) Authorization Form. You must properly complete, sign and submit all three standard forms or your complaint may be returned to you by the Clerk of Court. **Check here if you are filing your complaint under 28 U.S.C. § 1915 without full prepayment of fees.** _____

Please Note: If your case is allowed to proceed and you are awarded compensatory damages against a correctional facility or an official or agent of a correctional facility, the damage award will first be used to satisfy any outstanding restitution orders pending. Before payment of any compensatory damages, reasonable attempts will be made to notify the victims of the crime for which you were convicted concerning payment of such damages. The restitution orders must be fully paid before any part of the award goes to you.

DO NOT DETACH THE COVER SHEET FROM THE REST OF THE FORMS